

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF PUERTO RICO

IN RE:

FRANCISCO MERCADO HERNANDEZ
RUTH DALIA ALVAREZ MARTINEZ
DEBTOR(S)

CASE 10-05197-BKT
CHAPTER 13

****AMENDED DOCUMENT****

TRUSTEE'S REPORT ON CONFIRMATION

1. A meeting of creditors pursuant to Section 341 was held on **July 21, 2010**. The meeting was (was not) duly attended by debtor(s) and their attorney.
2. The liquidation value of the estate has been determined to be: \$32,011.00 (PV: \$37,132)
3. With respect to the attached payment plan:

AMENDED PLAN DATE: August 20, 2010

PLAN BASE: \$32,918.00

TRUSTEE'S COMMENTS AND RECOMENDATIONS DATED: 2/16/2011

☐

FAVORABLE

☒

UNFAVORABLE

1. ☒ FEASIBILITY 11 USC § 1325(a)(6):
Debtors have arrears of \$632 with plan payments.
2. ☐ INSUFFICIENTLY FUNDED § 1325(b) :
3. ☐ UNFAIR DISCRIMINATION § 1322(b):
4. ☒ FAILS LIQUIDATION VALUE TEST § 1325(a)(4):
Debtors to submit new liquidation analysis without capital gain in view that as per current law, it is no longer an expense. Plan distributes \$27,012 and trustee's liq. value is \$32,011.
5. ☒ FAILS DISPOSABLE INCOME TEST § 1325(b)(1)(B):
Clarify information as to who is making the payment for First Bank's auto loan. Is it debtors' daughter, see paragraph #2 of debtors' reply at Docket 22.
6. ☐ DOES NOT PROVIDE FOR SECURED CREDITOR § 1325(a)(5):
7. ☐ OTHER:

NOTICE: This report anticipates Trustee's position as per 11 USC § 1302(b)(2) a copy of which has been served upon counsel for debtor(s). Copies are available to parties in interest at the Trustee's Office.

Atty Fee:\$3,000.00 /\$426.00/\$2,574.00

Atty: JUAN O CALDERON

/s/ Miriam Salwen Acosta

Miriam Salwen Acosta
USDC # 208910

For:

ALEJANDRO OLIVERAS RIVERA
Chapter 13 Trustee
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